

United States District Court
for
Middle District of Tennessee
Report on Offender Under Supervision

Name of Offender: James Kevin Woods

Case Number: 3:07-00241-01

Name of Sentencing Judicial Officer: Honorable Thomas A. Wiseman, Jr., Senior U.S. District Judge

Date of Original Sentence: January 8, 2009

Original Offense: 21 U.S.C. § 841(a)(1) Distribution and Possession with Intent to Distribute Cocaine Base

Original Sentence: 60 months' custody and three years' supervised release

Type of Supervision: Supervised release

Date Supervision Commenced: June 8, 2012

Assistant U.S. Attorney: Clay Lee

Defense Attorney: R. David Baker

The Court orders:

No Action Necessary at this Time *as Recommended by Probation Officer.*
 Submit a Request for Modifying the Condition or Term of Supervision
 Submit a Request for Warrant or Summons
 Other

Considered this 1st day of October, 2013,
and made a part of the records in the above case.

I declare under penalty of perjury that the
foregoing is true and correct. Respectfully
submitted,

Amanda M. Russell

Amanda M. Russell
U.S. Probation Officer

Thomas A. Wiseman, Jr.

Thomas A. Wiseman, Jr.
Senior U.S. District Judge

Place

Nashville

Date

September 27, 2013

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>										
1.	<p><u>The defendant shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</u></p> <p>Since beginning supervision, Mr. Woods has tested positive for illegal drugs on five different occasions, each confirmed positive by the testing laboratory.</p> <table> <tbody> <tr> <td>June 19, 2013</td><td>Hydrocodone, Hydromorphone, and Oxymorphone</td></tr> <tr> <td>June 24 2013</td><td>Hydrocodone, Hydromorphone, and Cocaine</td></tr> <tr> <td>August 21, 2013</td><td>Hydrocodone, Hydromorphone</td></tr> <tr> <td>September 11, 2013</td><td>Hydromorphone</td></tr> <tr> <td>September 20, 2013</td><td>Hydromorphone</td></tr> </tbody> </table>	June 19, 2013	Hydrocodone, Hydromorphone, and Oxymorphone	June 24 2013	Hydrocodone, Hydromorphone, and Cocaine	August 21, 2013	Hydrocodone, Hydromorphone	September 11, 2013	Hydromorphone	September 20, 2013	Hydromorphone
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When questioned by the probation officer on June 24, 2013, Mr. Woods initially denied using any illegal drugs or medications not prescribed to him. After further questioning, he reported that his aunt gave him a 10 milligram generic pain pill on June 18, 2013, for his headache. Mr. Woods further reported that he attended a party at a friend's house on the evening of June 21, 2013, and "snorted" one line of cocaine. He could provide no explanation as to why he would test positive for Hydrocodone on June 24, 2013. He contended that his last use of any non-prescribed medications was on June 18, 2013.

On July 30, 2013, Mr. Woods was given a drug test that appeared to be positive for opiates. When questioned, he admitted to "stealing" some Hydrocodone pills, but only did so to relieve anxiety from a recent burglary of his home. Mr. Woods reported he was "stressed" from threatening remarks he had reportedly heard from the alleged burglar. When questioned in regards to these remarks, Mr. Woods reported he was told and/or heard, "If he, Mr. Woods, is seen on the street, he, the alleged burglar, was going to take care of him." The urine sample was mailed to the lab for confirmation and on August 1, 2013, the probation office received lab results which were negative for the test on July 30, 2013.

On August 21, 2013, Mr. Woods tested positive for opiates. When questioned by the probation officer, he admitted to using a prescription cold medication, given to him by a friend. Mr. Woods reported he hangs out with the wrong people and makes "dumb" choices.

Following his positive drug test on September 11, 2013, the probation officer, met with Mr. Woods and he denied using medications not prescribed to him. He could provide no explanation as to why he would test positive for opiates.

On September 17, 2013, Mr. Woods was given a random drug test that was positive for opiates. He admitted to “popping” four ten-milligram Hydrocodone pills on September 14, 2013, while driving in the city of Lebanon. The urine sample was mailed to the lab for confirmation and on September 20, 2013, the probation office received lab results which were negative for the test on September 17, 2013.

Following his positive drug test on September 20, 2013, Mr. Woods denied any new prescription drug abuse. He contends his last use of medications not prescribed to him was on September 14, 2013.

Compliance with Supervision Conditions and Prior Interventions:

James Kevin Woods is employed and lives with his girlfriend, child, and step-children in Lebanon, Tennessee. Mr. Woods began his three year term of supervised release on June 8, 2012, and is due to terminate supervision on June 7, 2015.

A report was submitted to the Court on July 15, 2013, regarding Mr. Woods' violations of testing positive for Hydrocodone and Oxymorphone on June 19, 2013, and testing positive for Hydrocodone and cocaine on June 24, 2013. Your Honor ordered no action at that time. Mr. Woods was given a verbal reprimand and re-instructed to not use any illegal substances.

A report was submitted to the Court on August 12, 2013, regarding Mr. Woods' admission to "stealing" Hydrocodone pills, in an attempt to relieve anxiety from a recent burglary of his home. Mr. Woods reported he was "stressed" from threatening remarks he has reportedly heard from the alleged burglar. Your Honor ordered no action at that time.

After being released from custody in June 2012, Mr. Woods participated in a substance abuse assessment at Cumberland Mental Health in Lebanon, Tennessee, on July 17, 2012, and substance abuse treatment was not recommended at that time. After his admission on June 24, 2013, to using cocaine and medications not prescribed to him, Mr. Woods was referred back to Cumberland Mental Health for weekly substance abuse treatment. He continues to participate in weekly therapy and his substance abuse counselor is aware of his ongoing use of illegal drugs and medications not prescribed to him.

Following his most recent admission to using medications not prescribed to him, Mr. Woods was, again, verbally reprimanded and re-instructed to not use any illegal substances or medications not prescribed to him. Mr. Woods admits to having an addiction to prescription pain medications and is willing to enter, and successfully complete, the 28-day inpatient substance abuse treatment program at New Leaf Recovery Center in Cookeville, Tennessee. He is presently on the waiting list, with an anticipated admission date within the next two weeks.

U.S. Probation Officer Recommendation:

The probation officer is requesting that no additional action be taken by the Court at this time. It is recommended that Mr. Woods remain on supervised release, successfully complete inpatient substance abuse treatment, and return to outpatient treatment at Cumberland Mental Health. Assistant U.S. Attorney Clay Lee has been advised of the offender's noncompliance and is in agreement with this recommendation.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer